

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS**

YURIY LOGINOV, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

CDK GLOBAL, LLC,

Defendant.

Hon. Jeffrey I. Cummings

Case No. 1:24-cv-05221

**DEFENDANT’S RESPONSE TO PLAINTIFFS’ MOTION TO CONSOLIDATE**

Pursuant to the Court’s October 10, 2024 Order (ECF No. 27), Defendant CDK Global, LLC (“CDK”) responds as follows:

As represented in Plaintiffs’ Motion to Consolidate (ECF No. 26), although CDK disagrees with Plaintiffs’ allegations and contends that the Consumer Actions<sup>1</sup> do not present claims in common as that term is understood in Rule 23(a)(2), subject to those reservations, CDK does not oppose the relief requested in Plaintiffs’ Motion to Consolidate, including (1) consolidating the Consumer Actions pursuant to Fed. R. Civ. P. 42(a); (2) establishing a single master file under the docket of the first-filed *Loginov* action, and recaptioning the action *In re CDK Global Consumer Data Security Litigation*; (3) setting a schedule for counsel to file motions to appoint Interim Class Counsel and file a consolidated complaint, whereby those motions to appoint Interim Class

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<sup>1</sup> *Loginov v. CDK Global, LLC*, No. 1:24-cv-05221 (N.D. Ill.); *Buraga v. CDK Global, LLC*, No. 1:24-cv-05273 (N.D. Ill.); *Aviles v. CDK Global, LLC*, No. 1:24-cv-05356 (N.D. Ill.); *Berman v. CDK Global, LLC*, No. 1:24-cv-05360 (N.D. Ill.); *Hester v. CDK Global, LLC*, No. 1:24-cv-05377 (N.D. Ill.); *Kallas et al v. CDK Global, LLC*, No. 1:24-cv-05384 (N.D. Ill.); *Leeberg v. CDK Global, LLC*, No. 1:24-cv-05589 (N.D. Ill.); *Carvelli, et al. v. CDK Global, LLC*, No. 1:24-cv-05991 (N.D. Ill.); *Proto v. CDK Global, LLC*, No. 1:24-cv-06168 (N.D. Ill.); and *Coombs, et al. v. CDK Global, LLC*, No. 1:24-cv-08365 (N.D. Ill.) (collectively, “Consumer Actions”).

Counsel shall be due fourteen (14) days after entry of the consolidation order, and whereby Interim Class Counsel shall then file a consolidated complaint within 45 days of an order appointing Interim Class Counsel; and (4) setting a schedule for CDK's response to the consolidated complaint, whereby CDK shall have 45 days to respond to the consolidated complaint, and if the response is a motion to dismiss, Plaintiffs shall have 30 days to submit an opposition, and CDK shall have 30 days to submit a reply.<sup>2</sup>

Dated: October 15, 2024

Respectfully submitted,

/s/Martin L. Roth, P.C.

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*Counsel for Defendant CDK Global, LLC*

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<sup>2</sup> As noted in Plaintiffs' Motion to Consolidate, CDK does oppose consolidation of the non-consumer class action cases filed on behalf of business entity plaintiffs (none of which were proposed for consolidation in Plaintiffs' Motion).

**CERTIFICATE OF SERVICE**

I hereby certify that on October 15, 2024, a true and correct copy of the foregoing **DEFENDANT'S RESPONSE TO PLAINTIFFS' MOTION TO CONSOLIDATE** was electronically filed with the Court via the CM/ECF system which sent notification of such filing to all Counsel of Record.

Dated: October 15, 2024

/s/Martin L. Roth, P.C.

Martin L. Roth, P.C. (IL #6296464)